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January 31, 2023

VIA ECF

Hon. Sarah Netburn, U.S.M.J.
United States District Court
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *Arthur Balder v. Susan Sarandon, et al*, Case No.: 1:22-cv-06401-JLR-SN

Hon. Judge Netburn:

We represent Defendants Susan Sarandon, Honey Shara, David Shara and Tigran Tsitoghdzyan (collectively, “Defendants”) in this action. This letter is submitted pursuant to I.B. and I.G. of your Honor’s Individual Practices rules and in response to Plaintiff Arthur Balder’s (“Plaintiff”) third amended complaint filed on January 23, 2023 (“TAC”) [ECF Dkt. No. 62].

Pursuant to your Honor’s court order dated December 29, 2022 [ECF Dkt. No. 61], Defendants currently have until February 2, 2023, to inform your Honor whether they wish to proceed with the pending motion to dismiss or file a new response to the TAC, and until February 16, 2023, to file any new response to the TAC should Defendants decide to move forward with a new response. However, the TAC is 287 pages long, with an additional 43 pages of exhibits, amounting to a total of 330 pages. Accordingly, Defendants request an extension of time to inform the Court of how they wish to proceed as well as an extension of time to file any new response so Defendants have sufficient time to review the TAC. Defendants respectfully request the deadline to inform your Honor on how Defendants wish to proceed be adjourned to February 10, 2023, and that with that letter Defendants provide a proposed deadline for any new response, should Defendants decide not to proceed with the pending motion to dismiss. This will allow Defendants to have time to consider how they intend to respond and provide a proposed schedule for doing so, based on how they intend to respond.

There have been no previous requests for an extension of either deadline with respect to the TAC. Defendants conferred with Plaintiff on January 31, 2023, and Plaintiff did not consent to the extension. Plaintiff’s reasoning for not consenting, in essence, was that Defendants should adhere to the original deadlines set forth by your Honor and Plaintiff believes that the motion to dismiss is meritless.

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We greatly appreciate your Honor's time and consideration in this matter.

Respectfully Submitted,

ADELMAN MATZ P.C.

A handwritten signature in black ink, appearing to be 'SM' with a colon, representing Sarah M. Matz.

Sarah M. Matz, Esq.

Cc. Arthur Balder (via ECF pursuant to Court Authorization)